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3  
4 BILL NO. S-76-09-15

5 SPECIAL ORDINANCE NO. S-157-76

6 AN ORDINANCE approving a contract  
7 with Wayne Asphalt & Construction  
8 Co., Inc., for resurfacing of  
9 Kirkfield Avenue, Courtwood Drive,  
Inwood Drive and St. Joe River  
Drive.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
11 FORT WAYNE, INDIANA:


12 SECTION 1. That the contract dated August 27,  
13 1976, between the City of Fort Wayne, by and through its Mayor  
14 and the Board of Public Works and Wayne Asphalt & Construction  
15 Co., Inc., for:

16 The resurfacing of Kirkfield Avenue (Inwood Drive  
17 to Highwood Drive), Courtwood Drive (Kirkfield  
18 Avenue to 300' northwest), Inwood Drive (Vance  
Avenue to Marigold Drive) and St. Joe River Drive  
(Parnell Avenue to 50' east of Addison Avenue) and  
known as Street Improvement Resolution 5718-1976.

19 for a total cost of \$47,601.70, all as more particularly set forth  
20 in said contract which is on file in the Office of the Board of  
21 Public Works and is by reference incorporated herein, made a  
22 part hereof and is hereby in all things ratified, confirmed and  
23 approved.

24 SECTION 2. This Ordinance shall be in full force  
25 and effect from and after its passage and approval by the Mayor.

26  
27  
28   
29 Councilman

30  
31  
32  
33 APPROVED AS TO FORM  
34 AND LEGALITY,  
35   
CITY ATTORNEY

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 9-14-76

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>			<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER				<u>X</u>	
TALARICO	<u>X</u>				

DATE: 9-28-76

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 8-157-76 on the 28th day of Sept., 1976.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of Sept., 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 1st day of October, 1976, at the hour of 8:00 o'clock \_\_\_\_\_ M., E.S.T.

Robert Edmeston  
MAYOR

Bill No. S-76-09-15

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance  
approving a contract with Wayne Asphalt & Construction Co., Inc.,  
for resurfacing of Kirkfield Avenue, Courtwood Drive, Inwood Drive and  
St. Joe River Drive

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

Winfield C. Moses, Jr. - Chairman

Donald J. Schmidt - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

*W. Moses Jr.*

*D. Schmidt*

*Vivian G. Schmidt*

*Paul M. Burns*

*William T. Hinga*

9-28-76  
DATE 9-28-76 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK



# THE CITY OF FORT WAYNE

board of public works  
city-county building  
one main street  
fort wayne, indiana 46802

July 28, 1976

The Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

The Board of Works has taken bids and awarded contracts for the first two phases of the resurfacing program for 1976. Contracts have been awarded as follows:

Dailey Asphalt Products ----- \$127,090.30

for Taylor (Ardmore to Fairfield)  
Superior (Van Buren to Lafayette)

Wayne Asphalt & Construction -- \$ 47,601.70

for Kirkfield (Inwood to Highwood)  
Courtwood (Kirkfield to 300 feet northwest)  
Inwood (Vance to Marigold)  
St. Joe River Dr. (Parnell to Addison)

Since we are well into the construction season, the contractors and Board respectfully request a "Prior Approval" of the contracts. Bids for the balance of the program will be scheduled as soon as documents can be prepared.

An Ordinance for formal approval will be submitted August 10, 1976.

Sincerely,

*Henry P. McPherson*  
Chairman, Board of Public Works  
*Robert E. Armstrong*  
Mayor

/eis

Attachments: Bid Tabulations

APPROVED:

*William C. W. Jr.* *Samuel J. Tolano* *John Smith*  
*James D. ...* *Frederick R. ...* *Thomas R. ...*  
*and ...* *William T. ...*  
MEMBERS OF THE COMMON COUNCIL

ATTEST:

*Charles W. Westerman*

City Clerk

AN EQUAL OPPORTUNITY EMPLOYER



63-256-10 8/27/76

CITY PAID  
SUBJECT TO COUNCILMANIC APPROVAL  
Preliminary Meeting \_\_\_\_\_  
Ratification \_\_\_\_\_

# CONTRACT

This Agreement, made and entered into this 27 day of August, 1976

by and between \_\_\_\_\_

-----WAYNE ASPHALT AND CONSTRUCTION CO., INC.-----

hereinafter called "Contractor" and the City of Fort Wayne, Indiana, a municipal corporation, hereinafter called "City," under and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto, WITNESSETH: That the Contractor covenants and agrees to improve

Resolution No. 5718-1976: to improve by resurfacing, improving curbs and restoring pavement on four streets in the 2nd Councilmanic District, as described on the attached resolution

by grading and paving the roadway to a width of \_\_\_\_\_ feet with \_\_\_\_\_

upon a foundation and with curbing as fully set out in the specifications hereinafter referred to, in a good and workmanlike manner and to the entire satisfaction of said City, in accordance with Improvement Resolution No. 5718-1976 ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ and at the following price per lineal foot \_\_\_\_\_

at the following prices:

Pavement removal	One dollar and fifty cents, per square yard	1.50
Hot Asphalt Binder, #53	Fourteen dollars and ninety cents, per ton	14.90
Hot Asphalt Binder, #11	Thirteen dollars and ninety cents, per ton	13.90
Hot Asphalt Binder A-2 City Mix	Fourteen dollars and ninety cents, per ton	14.90
Joint and crack sealer	Two hundred fifty dollars and no cents, per ton	250.00
Catch basin adjusted and set to grade	One hundred twenty five dollars and no cents, per each	125.00
Manhole adjusted and set to grade	One hundred twenty five dollars and no cents, per each	125.00
Water valve adjusted and set to grade	Twenty five dollars and no cents, per each	25.00
New Combination Curb and Gutter (in place)	Seven dollars and fifty cents, per lineal foot	7.50
Top Soil	Ten dollars and no cents, per ton	10.00
Seeding, fertilizer and mulch	One dollar and no cents, per square yard	1.00
Concrete driveway removal	Four dollars and fifty cents, per square yard	4.50

	cents, per ton	
Hot Asphalt Binder, #11	Thirteen dollars and ninety cents, per ton	13.90
Hot Asphalt Binder A-2 City Mix	Fourteen dollars and ninety cents, per ton	14.90
Joint and crack sealer	Two hundred fifty dollars and no cents, per ton	250.00
Catch basin adjusted and set to grade	One hundred twenty five dollars and no cents, per each	125.00
Manhole adjusted and set to grade	One hundred twenty five dollars and no cents, per each	125.00
Water valve adjusted and set to grade	Twenty five dollars and no cents, per each	25.00
New Combination Curb and Gutter (in place)	Seven dollars and fifty cents, per lineal foot	7.50
Top Soil	Ten dollars and no cents, per ton	10.00
Seeding, fertilizer and mulch	One dollar and no cents, per square yard	1.00
Concrete driveway removal	Four dollars and fifty cents, per square yard	4.50
New driveway, concrete, 6"	Sixteen dollars and no cents, per square yard	16.00
Crushed stone, #73	Five dollars and no cents, per ton	5.00

The Contractor will furnish immediately a certificate from the Industrial Board of the State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts 1929, page 545, being Section 9459 of Burns Annotated Statutes, Volume IV). (Section 40-1214 Burns Annotated 1952 Revision - Volume VIII).

A copy of General Ordinance No. G-60-66, concerning discriminating in employment under municipal contracts, is attached and incorporated herein by reference.

# GUARANTY BOND

Know All Men by These Presents, That we \_\_\_\_\_  
\_\_\_\_\_  
WAYNE ASPHALT AND CONSTRUCTION CO., INC. \_\_\_\_\_ Contractors

as principal, and UNITED STATES FIDELITY AND GUARANTY OF BALTIMORE, MARYLAND \_\_\_\_\_  
\_\_\_\_\_ as surety

are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of FORTY SEVEN  
THOUSAND SIX HUNDRED ONE DOLLARS AND SEVENTY CENTS \_\_\_\_\_

\_\_\_\_\_ (\$47,601.70)  
for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,  
executors, administrators and assigns firmly by these presents.

The conditions of the above obligation are, that whereas the said \_\_\_\_\_

\_\_\_\_\_  
WAYNE ASPHALT AND CONSTRUCTION CO., INC. \_\_\_\_\_  
did on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, enter into a contract with the City of Fort Wayne to construct a  
\_\_\_\_\_

XX \_\_\_\_\_ 5700000000 Res. No. 5718-1976; to improve  
by resurfacing, improving curbs and restoring pavement on four streets in the  
2nd Councilmanic District, as described on the attached resolution

\_\_\_\_\_ according to certain plans and specifications, and  
for a period of three years  
also warranting and guaranteeing the work, material and condition of the pavement thereof as provided  
in aforesaid contract and specifications. Now if the said \_\_\_\_\_

WAYNE ASPHALT AND CONSTRUCTION CO., INC. \_\_\_\_\_ shall faithfully perform and fulfill all the require-  
ments of said warranty and guaranty, and make all repairs required under said guarantee, and in the  
manner provided for, then this bond to be null and void, otherwise to be in full force and effect.

WITNESS our hands and seals this 28 day of July, 1976

YASTE, ZENT & RYE, INC.  
Authorized Agents

BY: Arthur C. Finckh \_\_\_\_\_  
\_\_\_\_\_ C. K. STEWART, PRES.  
UNITED STATES FIDELITY & GUARANTY  
ITS: Doreen J. Ross \_\_\_\_\_ (SEAL)  
Attorney-in-fact

Approved this 27 day of August, 1976

Edith L. Mar  
May G. Scott  
Board of Public Works.

# LIABILITY BOND

Know All Men by These Presents, That we

-----WAYNE ASPHALT AND CONSTRUCTION CO., INC.-----

as principal, and UNITED STATES FIDELITY AND GUARANTY of BALTIMORE, MARYLAND-----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of FORTY SEVEN  
THOUSAND SIX HUNDRED ONE DOLLARS AND SEVENTY CENTS-----

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,  
executors, administrators and assigns firmly by these presents.

----- (\$ 47,601.70)  
The conditions of the above obligation are such, that if the above named party of the first part shall  
faithfully comply with the foregoing contract made and entered into the

day of -----, with the City of Fort Wayne, Indiana, and shall faithfully fulfill  
all the conditions and stipulations therein contained, except the warranty and guaranty of the pave-  
ment as to the workmanship, material and conditions for the period of three(3) years, according to the  
true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and re-  
main in full force and virtue in law and in the event the said City shall extend the time for the comple-  
tion of said work, such extension shall not in any way release the sureties on this bond.

WITNESS our hands and seals this 28 day of July, 1976

YASTE, ZENT & RYE, INC.  
Authorized Agents

BY: *Arthur C. Zwick*

WAYNE ASPHALT AND CONSTR. CO., INC. (SEAL)

BY: *C. K. Stewart* C. K. STEWART, PRES. (SEAL)

UNITED STATES FIDELITY & GUARANTY

ITS: *Rene J. Ross* (SEAL)

Attorney-in-fact

(SEAL)

Approved this 27 day of August, 1976

*Edward L. Roman*  
*May G. Scott*  
Board of Public Works.

COMPLETED IN STREET ENGINEERING OFFICE

JULY 26, 1976



Sheet: 1 of 1

ASP				DAILEY				HIPKIND				COOKES				RIETH			
AMOUNT		UNIT COST		AMOUNT		UNIT COST		AMOUNT		UNIT COST		AMOUNT		UNIT COST		AMOUNT		UNIT COST	
\$	¢	\$	¢	\$	¢	\$	¢	\$	¢	\$	¢	\$	¢	\$	¢	\$	¢	\$	¢
3,483	00	2	00	4644	00	20		2,089	20	3	50	8127	00	1	75	4063	50		
9,029	40	14	00	8484	00	24	03	8,532	45	14	00	8484	00	14	45	9,051	70		
14,706	20	13	30	14071	40	24	50	15,311	00	15	50	16,394	00	16	48	17,435	84		
13,022	60	14	80	12935	20	15	90	13,896	50	16	25	14,262	50	19	61	17,129	14		
625	00	700	00	1750	00	400	00	1,000	00	400	00	1000	00	349	26	873	15		
1,750	00	100	00	1400	00	225	00	3,150	00	130	00	1520	00	98	64	1,320	96		
1,375	00	75	00	825	00	175	00	1,925	00	100	00	1100	00	84	05	924	55		
625	00	60	00	1500	00	40	00	1,000	00	25	00	625	00	65	27	1,151	75		
1,500	00	8	00	1602	00	8	00	1,600	00	9	00	1800	00	9	60	1,920	00		
120	00	6	00	72	00	8	00	96	00	10	00	120	00	14	60	175	20		
77	00	0	25	19	25	2	00	154	00	1	00	77	00	1	50	115	50		
76	50	3	00	51	00	10	00	170	00	3	00	51	00	7	60	129	20		
272	00	16	00	272	00	15	00	255	00	17	00	289	00	11	65	190	05		
940	00	4	50	846	00	6	00	1,125	00	9	00	1692	00	10	75	2,021	00		
47,601	70							50,337	85			55,786	50			57,067	54		
				48,469	85														

CO. E.C.

Asp. Resurfacing  
 Res. #5718  
 2ND. Councilmanic Dist  
 Kirkfield  
 Courtwood  
 Inwood  
 St. Joe River Dr.

TITLE OF ORDINANCE SPECIAL ORDINANCE - Contract with Wayne Asphalt & Construction Co., Inc.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE Contract with Wayne Asphalt & Construction in amount of

\$47,601.70 on Street Improvement Resolution 5718-1976 covers the resurfacing of:

Kirkfield Avenue (Inwood Drive to Highwood Drive)

Courtwood Drive (Kirkfield Avenue to 300' northwest)

Inwood Drive ( Vance Avenue to Marigold Drive)

St. Joe River Drive (Parnell Avenue to 50' east of Addison Avenue)

This was the low bid of five received (Tabulation attached)

(SEE ATTACHED PRIOR APPROVAL)

EFFECT OF PASSAGE Street Improvements as approved for Revenue Sharing

EFFECT OF NON-PASSAGE Prior Approval Received

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$47,601.70 from Revenue

Sharing

ASSIGNED TO COMMITTEE

Puller/KS / JH